

# Our impact

2016/17



Our vision: a **just marketplace**, where **people have power** and **business plays fair**





we act **boldly** and **courageously** in pursuing our vision



we deliver highly professional services and effective campaigns

## Our values



we **care** about and **respect** our clients, colleagues and partners

Consumer Action respectfully acknowledges the past, present and future Traditional Owners of Country.



we believe in a **fair deal** for all



# A word from the CEO and Chair

This is my final report as Chair of the Consumer Action Law Centre board. I am proud to have supported the good governance of such an outstanding organisation for 8 years and grateful that I can continue to support it and the in-coming Chairperson as a board member.

In keeping with Consumer Action's active commitment to evaluation, review and continuous improvement, in 2016/17 the board reviewed its succession planning. With advice from a governance expert we tightened up our policy on board terms so we are now better placed to ensure a good balance between continuity and bringing in new ideas.

I am in awe of the quality and commitment of my fellow Board members and the outstanding performance of our CEO. I sleep better at night knowing Consumer Action is on the job, standing up for people experiencing vulnerability and disadvantage by building a fair marketplace.

## Barbara Romeril, Chair

Welcome to Consumer Action Law Centre's second Impact Report, following our inaugural report in 2015/16.

Building on our work evaluating our services and campaigns, we have this year developed a new Impact Framework for the organisation. The new Framework brings together the diverse activities of the centre—from financial counselling and legal advice, to casework and representation, as well as training, outreach and of course policy and campaigns—and helps provide clarity and insight about the effectiveness of our various activities.

The framework does this by illustrating the range of activities delivered by the centre, the cause and effect relationship between these activities, the outcomes we seek and the long-term impacts to which we contribute. More information about the framework can be found later in this report.

An Impact Framework is not just about demonstrating outcomes for people we help and the community, it is about taking stock, learning and adapting to improve over time. This aligns with the centre's commitment to reflective practice. For us, reflective practice involves all our people being provided the opportunity to reflect on their work, to think critically, and have the courage to change themselves and the world. A passion for social justice is the driving force for everyone at Consumer Action.



During 2017, staff and the board also worked to develop and set our Strategic Plan for the next five years. Importantly, we have a strong new vision being "A just marketplace, where people have power and business plays fair". Our purpose remains: to make life easier for people experiencing vulnerability and disadvantage, and this purpose is operationalised through four strategic priorities which are detailed over the following pages.

At the centre of our Strategic Plan are our organisational values — fairness, respect, excellence and courage. These values guide us in all work.

As part of our strategic planning this year, the centre also sought to prepare ourselves for the longer-term: the next ten years and beyond. To do this, we will explore new ways to deliver services, seek out and apply new technologies, and develop new ways to involve people in consumer advocacy.

This is not to give up on today's work where it is effective, but to consider how we can be ahead of the curve to make a real difference to families and individuals experiencing disadvantage and vulnerability. Our junk insurance campaign, with its centrepiece, the complaint tool DemandARefund.com, is a prime example. Not only has this helped people demand over \$700,000 back, it has generated important policy reforms to better regulate the sales of poor-value insurance.

This report provides an overview of our impact during 2016/17, and covers diverse issues including energy affordability, retirement housing, and rent-to-buy housing. These campaign issues all stem from the experiences of people who contact us for legal assistance and financial counselling. We thank those people and all stakeholders with whom we work, without whom we could not make an impact for the community.

## Gerard Brody, Chief Executive Officer

## Our purpose:

# To make life easier for people experiencing vulnerability and disadvantage in Australia





# Assisting and empowering people

11,146



financial counselling calls

5,502



legal advice calls or  
representation for Victorians

**help.consumeraction  
.org.au**

dedicated new portal for  
self-help resources





# The long road to a home: Chanaka's story

The walls of Chanaka's home are covered with photos of his family. He's been working hard to save for a house to settle down in but past issues with debt meant that he couldn't secure a mortgage. He found a rent-to-buy agent online a few years ago who promised to help him get a mortgage. The numbers didn't quite add up, but the slick talking agent assured him everything would work out.

"The agent came across as a real family guy. Thinking back, I feel it was his sales skills and our strong desire to own a home that led us to trust him" says Chanaka.

Rent to buy contracts are complex matters that fall between the cracks of property and consumer law. The protections for people signing these contracts vary by state and there are no guarantees that you can get your money back if something goes wrong.

When it was time for the agent to deliver on the mortgage promise three years later, he avoided Chanaka, only to then tell him that the value of the property had not increased enough for him and that meant there would be no mortgage. Chanaka couldn't get out of the contract and had to settle for negotiating a lower rent.

When Chanaka contacted Consumer Action the situation looked dire - the family had been paying above-market rent for three years and used their First Home Owners Grant to live in a home they now had no prospect of owning. They had paid

around \$80,000 more than they would have paid in market rent.

We used our pro bono networks to find a law firm to represent Chanaka. The firm assisted Chanaka to get out of the contract and receive a refund of most of the money he had paid.

Chanaka also took part in Consumer Action's campaign to stop rent-to-buy scams. He shared his story with numerous media outlets and at a policy forum for experts in the field. Consumer Affairs Victoria has since proposed to ban rent-to-buy and vendor terms contracts in Victoria.

"Thanks to our pro-bono partners, we can assist families like Chanaka's," says Senior Policy Officer Susan Quinn.

"Chanaka also helped decision-makers understand what these contracts can do to people. He's contributed to what is hopefully a big change that will stop rent-to-buy scams."

"Despite initial hesitation talking about my situation, it was absolutely the right thing to do" says Chanaka.

"Others need to know about what entering this kind of contract can cost their families."

**The report 'Fringe Dwellings' is available at [policy.consumeraction.org.au](http://policy.consumeraction.org.au)**





# Supporting an effective community sector

978



legal advice calls or support to community workers

222



ongoing complex legal assistance with community workers

1,253



people attended training on consumer law issues





# People who help people

Hello, Impact Report Consumer!

As a Paper Consumer or Digital Screen Consumer we hope you're enjoying consuming the information in this report.

Messaging Consumers may find this next story fascinating.

Feeling awkward yet?

The financial counselling and consumer advocacy sectors improve people's lives every day, but as Consumer Action's 'People who help people' report suggests, our messaging and language choices are holding us back. 'People who help people' advises consumer advocates and financial counsellors to stop talking about "clients" and "consumers" and to focus on talking about people.

Using the latest research into the messaging of successful social movements, the report provides practical advice on marketing our services and influencing community debate for a fair marketplace.

"Every day I'm inspired by the people I work with and what we achieve for people in the community, but I noticed a disconnect in the way we tell our story", says Jonathan Brown, Consumer Action's Communications Manager.

"What surprised me as I worked on the report was how much we undersell ourselves compared to others. We have

incredibly effective people who change lives but that's not what we are conveying" Brown says.

Since the report was released, he's been sharing his findings with partner organisations in the financial counselling and consumer sectors.

Erin Turner, from the Campaigns and Communications team at CHOICE says the report is a talking point that has prompted new conversations about the impact of our words.

"The report has been incredibly helpful for CHOICE, not just for campaigns but for the whole organisation. We are now in the process of reviewing our tone of voice when we talk to our audience and the report is a great tool" says Turner.

The report also details the importance of effective storytelling for the consumer movement. Turner sees this as the big opportunity for CHOICE.

"Consumer Action is very good at showing how people are hurt by dodgy deals. It works and we will see how we can bring more storytelling into our communication", says Turner.

**The 'People who help people' report is available at [consumeraction.org.au/PeopleHelpPeople](http://consumeraction.org.au/PeopleHelpPeople)**





# Shaping a fairer system

932



policy contributions (submissions, letters, meetings, consultations and more)

555



TV/Radio/Print appearances, publications and content made by Consumer Action

\$700k+



of refunds demanded back through DemandARefund.com





## The stage is set for change

Getting fair outcomes for older Victorians in retirement housing has been a major focus of Consumer Action's work throughout the year through our strong partnerships with Residents of Retirement Villages Victoria, Housing for the Aged Action Group and Council of the Ageing Victoria. Momentum has grown thanks to the relentless work of the residents and their families, and the impact of their efforts can be seen in the strong reactions from the media and the public.

During years of advocacy with older Victorians we've drawn on one of our core strengths: the integration between our policy and legal teams. Consumer Action's strategic casework has exposed the problems facing residents and identified the recurring barriers to getting justice and fair outcomes.

Significant reform is needed to simplify contracts, reduce excessive fees, improve management standards and provide access to justice for residents.

In March 2017, the Victorian Parliamentary Inquiry into the Retirement Housing Sector released its final report. The recommendations reflect the considerable amount of material gathered by the Inquiry - a total of more than 750 submissions and 90 presentations during the public hearings. However, there is still considerable work to be done.

Reform for retirement housing is gaining traction nationwide. An investigation led by Walkley Award-winning journalist Adele Ferguson exposed serious problems in retirement housing. Our work was prominently featured in an ABC Four Corners program and a series of articles in Fairfax newspapers. This has been a catalyst for political engagement on a federal level, with Commonwealth, State and Territory Consumer Affairs Ministers including retirement housing reform on the agenda for their August 2017 meeting.

The real impact of this work will be a commitment from Government to protect the thousands of residents living in retirement housing in Victoria.



## Powering through

For families experiencing financial difficulty, the high cost of electricity can lead to decisions that affect health and wellbeing in the hottest and coldest months of the year. With big hikes in energy prices predicted nationwide, these families are going to feel the pressure more than most.

Utilities is one area where all of Consumer Action's diverse skillsets work together to make a fairer system. Whether it's our financial counsellors at the National Debt Helpline helping people access concessions, our legal team taking on dodgy sales practices, or our policy and campaigns team developing recommendations for reform, Consumer Action uniquely covers the field from ground level support for Victorians through to complex policy debates.

One key recommendation by an independent and bipartisan review of Victoria's retail energy sector is to introduce a Basic Service Offer - a "no frills" energy product free from the price gouging Victorians have faced for years. By having the price set by an independent regulator, the pressure would lie on retailers to run efficient and competitive businesses and stop them from blaming Victorians for not "shopping around".

"This is a very positive, long overdue change. Energy is an essential service and the last decade of deregulation has made it unaffordable for a large number of Victorians" says Consumer Action Senior Policy Officer, Zac Gillam.

The Essential Services Commission's Payment Difficulty Review has highlighted the issues presented by families experiencing financial difficulty. According to financial counsellors, the review's interim suggestions lacked a meaningful response to the difficulties families are facing. The experience of our services is that people in severe financial difficulty need better access to utility relief grants than the current scheme allows.

"In our submissions, we put forward the human perspective. We need to remember that electricity is produced for a reason - so that people can heat their houses and keep the lights on" says Consumer Action Policy Officer, Jake Lilley.

Whether it's directly helping Victorians navigate the complex energy market or contributing to high level policy debate, the unifying theme behind Consumer Action's energy work is real people's experiences. Our 'Power Transformed' report continues to remind industry and regulators that people aren't rational economic units - they're complicated human beings with diverse needs. Regardless of that diversity, one thing remains constant - everyone needs access to energy on fair terms and Consumer Action will continue bringing real human experience to the debate.





# Supporting our people

94%



of staff say the organisation has improved since previous staff survey

50%



more investment in technology improvements for staff

24%



of staff were promoted internally



In 2017, the Melbourne Unicorns rugby union team won the Victorian Women's rugby union grand final. Part of the bruised but ecstatic team was Katherine Temple who dedicates her time between sporting victories to consumer issues as a Senior Policy Officer at Consumer Action.

"Winning the grand final was definitely the most memorable moment of last rugby season for me," says Katherine who has played for the Unicorns for two years.

Katherine also played for the Victorian Women's State representative side this year, the Melbourne Rebels. As in any competitive sport, the training commitment covered most weeknights and weekends, and required an equally big commitment tending to the injuries that are part of the game.

"It is great to be able to schedule training and physiotherapy appointments knowing that I have full support from Consumer Action. My passion has been met with interest and good humour from my colleagues and managers. I wouldn't be able to commit to playing without such a supportive and flexible workplace."



# Katherine



# Shae

Word of mouth encouraged Shae Skinner to look for a placement opportunity with Consumer Action during her financial counselling course. The placement led her to a role in our National Debt Helpline intake team and after her graduation, she was able to start training as a financial counsellor.

"From a professional perspective the job keeps me on my toes because every day is different, every call is different and my colleagues make coming to work enjoyable," says Shae.

It is not long until the training wheels come off and Shae operates independently. She is pleased that her work satisfaction has grown with the demands of her role.

"The training has shown me the depth of knowledge required to give the right advice, it is crucial to keep updated on any changes [to laws and emerging issues]"

Gail Broadbent knows more than your average Australian about obscure things like sunglass regulations and waste management. This is thanks to her role as a consumer representative on Standards committees for the Consumers' Federation of Australia.

In Australia, expert committees develop standards for products and services to keep us safe. Volunteer representatives such as Gail are the voice of the people who actually use those products and services. She asks the questions that people using a product would have.

"When I look at a new issue I ask myself, 'How will it affect the person using this and what do they care about?'" says Gail

The main committee Broadbent has been involved in tackles guidelines for sustainable procurement, creating a document that provides clear directions for buying products and services. It's an international standard that has been in development for three years and the Australian input has been significant.



# Gail



# Impact framework

## Our purpose

To make life easier for people experiencing vulnerability and disadvantage in Australia

### Where are we putting our efforts?

### What does change look like?

Championing a fairer system for everyone



Strong and effective laws that benefit people experiencing vulnerability

Regulators taking effective action that benefits people experiencing vulnerability

Industry practice and business models that benefit people experiencing vulnerability

Empowering people so they get the help they need when they need it



People achieve better legal outcomes

People enjoy better financial health

People enjoy better health and wellbeing (reduced vulnerability)

Supporting our community sector to be the best it can be



A more sustainable and effective legal assistance sector

A more sustainable and effective financial counselling sector

A more sustainable and effective community services sector

## What impact are we making?

Empowered people with fewer problems

# Demonstrating outcomes and impact

Our new Impact Framework helps us articulate and demonstrate the outcomes and impact resulting from our work. Building on our Strategic Plan, the Impact Framework links our activities—legal advice and representation, financial counselling, training and outreach, as well as policy work and campaigns—with our mission and purpose.

Consumer Action makes life easier for people experiencing vulnerability and disadvantage. The new framework sets out both outcomes (the more immediate changes that occur as a result of our activities) and impacts (the longer-term changes that we seek from our effort). A summary of the Framework outlining the impact we seek to make is above, but you can find the full Framework including activities and outcomes (explaining how they inter-connect) at [consumeraction.org.au/ImpactFramework](https://consumeraction.org.au/ImpactFramework)

From next year, we will begin reporting our progress against each of the outcomes in the framework. While we already conduct much evaluation work, this new framework will enable us to communicate the change we are creating in a more systematic way.

This new framework will not only help demonstrate our impact to stakeholders, including our funders, but will also be a tool used by staff and volunteers to inform ongoing improvement and change.



# All services (Legal & financial counselling)

37% of callers relied on social security payments for their entire income



8% of callers had no income at all



134 languages were spoken by callers



1,344 calls dealt with significant breaches of consumer guarantees



59% of consumer goods issues related to cars



Services:

Consumer Action Legal Help - 1800 466 477 - M-F 10am-1pm

Consumer Action Worker Help - (03) 9602 3326 - M-F 10am-1pm & 2pm-5pm

The National Debt Helpline - 1800 007 007 - M-F 9:30-5pm

46%

of financial counselling calls related to credit card and loan debt



12%

of financial counselling calls related to utility bills

1,922,000+

social media impressions



\$1,543,534



saved for people in our community doing it tough

2,578



callers complained of unfair practices breaching consumer laws

127



complaints to regulators

7,057



people who called were experiencing significant vulnerability or disadvantage

932

policy contributions

submissions, letters, meetings, consultations, speeches and more on issues as diverse as:

Retirement living  
Vocational education  
The Australian Consumer Law review  
Affordable energy and water  
Payday loans and consumer leases  
Junk insurance and rubbish warranties  
Rent-to-buy housing  
Banking and finance  
Debt vultures  
Access to justice and more



# Financial report 16/17

	2017	2016
<b>INCOME</b>	\$	\$
Grants, revenue	4,533,054	3,651,535
Other income	262,750	278,470

EXPENSES

Employee benefits and costs	3,348,953	3,270,636
Facilities and overheads	-431,119	-456,511
Resources and planning	-297,398	-129,738
Finance and accounting	-10,492	-10,967
Depreciation	-84,821	-87,732
Other expenses	-44,737	-129,179

Surplus/deficit	578,284	-154,758
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<b>STATEMENT OF FINANCIAL POSITION</b>	2017	2016
	\$	\$
Current assets	3,990,179	2,984,690
Non-current assets	164,797	243,879
Current liabilities	1,300,740	974,261
Non-current liabilities	67,170	45,526

Net equity	2,787,066	2,208,782
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Full financial report available at [consumeraction.org.au/about](http://consumeraction.org.au/about)

# Consumer's Federation of Australia Standards Project

“Consumer representatives bring crucial scope to the technical committee process that develops standards. This consumer perspective ensures the standard meets real community needs, which is increasingly important as we face rapid technological change that will impact our lives as consumers.” Brett Lovett - Manager, Stakeholder Engagement, Standards Australia.

We thank Standards Australia for their continued funding of the project which supports consumer representatives on Standards Australia Technical Committees and we thank our hard working volunteer consumer representatives:

- Allan Asher

Anita McAdam

Antonio Bonacruz

Bill Dee

Bill Yeo

Cam Wilkinson

Darren Margerison

David Gray

Debra O'Connor

Elaine Attwood

Eleanor Sumner

Elizabeth Wheeler

Gail Broadbent

Gail Greatorex

Heather Grain

Ian Jarratt

Jeff Godfredson
- John Furbank

John Henry

Juliet Moore

Mark Henley

Martin Gill

Matthew Tung

Max Mosher

Murali Nathan

Paul Loney

Polly Plowman

Rado Starec

Raphael Grzebieta

Rebecca Searcy

Robert Rosewarne

Ron Somers

Ruth Mackay

# Our people 16/17



EXEC/ADMIN/HR

- Gerard Brody
- Denise Lawry
- Nila Martin
- Skye Forster
- Tammy Madex

BOARD

- Barbara Romeril (Chair)
- Roslyn Hunter
- Paul Murfitt
- Vic Marles
- Peter Gartlan
- John Berrill
- David Berry

POLICY AND CAMPAIGNS

- Denise Boyd
- Cat Newton
- Claire Maries
- Ed Mayne
- Jake Lilley
- James Baker
- Jonathan Brown
- Katherine Temple
- Mick Bellairs
- Regina Godfredson
- Simon Kidd
- Susan Quinn
- Zac Gillam

LEGAL PRACTICE

- Jillian Williams
- Tom Willcox
- Agata Wierzbowski
- Amanda Storey
- Catherine Miller
- Celia Tikotin
- Claire Deane
- David Niven
- Gerald Cohen
- Jesse Marshall
- Katia Sanderson
- Lachlan Edwards
- Lisa Grealy
- Marie Baird
- Mathew Kenneally
- Michael Hermitage
- Philippa Heir
- Peta Hepburn
- Preethi Vergis

FINANCIAL COUNSELLING

- Penelope Hill
- Ali Creighton
- Anna Tiakanas
- Brian Kerr
- Claire Tacon
- Dianne Dejanovic
- Elyse Hoskins
- Heather Keen
- Janet Inglis
- Sarah Brown-Shaw
- Shungu Patsika
- Thuyen Mai

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# Acknowledgements

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## **KEY FUNDERS AND PARTNERS**



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Victorian Government: Consumer Affairs Victoria; Department of Justice and Regulation; Victoria Legal Aid  
Legal Services Commissioner + Board  
Energy Consumers Australia  
Financial Literacy Australia

## **PRO BONO BARRISTER PANEL**

Paul Bingham, Meg O'Sullivan, John Leong, Andrew Downie, Dan Star QC, Peter Fary, Melanie Sydwick, Ryan Maguire, Sarah Cherry, Sandip Mukerjea, Gary Bigmore QC, Daniel Bongiorno, Katie Burke, Daniel Clough, Georgia Douglas, Jonathan Evans QC, Min Guo, Astrid Haban-Beer, Kristine Hanscombe QC, William Houghton QC, Leigh Howard, Marcus Hoyne, Caroline Kenny QC, Anastasia Smietanka, Carolyn Sparke QC, Melanie Szydzik, Cam Truong, Michael Wise, Sally Whiteman and Brind Zichy-Woinarski QC, Emrys Nekvapil

## **WITH THANKS TO**

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Australian National University (Dr Liz Curran)  
Australian Progress  
Australian Securities and Investment Commission  
Berrill & Watson  
Brimbank-Melton Community Legal Centre  
Britton Costs Lawyers (Suzie Britton)  
Clayton Utz (Kezia Adams, David Hillard, Chloe Sheptooha, Alana Hudson, Peter Sise)  
Community Legal Queensland  
Consumers Federation of Australia  
Consumers Federation of Australia

Cuthbert Automotive Consulting (Graeme Cuthbert)  
Deakin University (Dr Paul Harrison)  
Digital Finance Analytics (Martin North)  
Federation of Community Legal Centres Victoria  
Financial Counselling Australia  
Financial and Consumer Rights Council  
Gilbert & Tobin (Albert Tuen and Stephanie Lau)  
Hope Street Youth and Family Services  
Hugh Stephens  
Hume-Riverina Community Legal Service  
Indigenous Consumer Action Network  
Justice Connect  
K & L Gates (Michaela Moloney, Katie Sweatman, Lisa Egan, Monica Lillas)  
Kati Leuschel  
Macquarie University (Dr Timothy Kyng)  
Maddocks (Peter Francis, Isabella Pierri)  
Maribyrnong and Moonee Valley LLEN  
Maurice Blackburn (Kim Shaw and Jennifer Kanis)  
Melbourne University Law School (Lucie O'Brien)  
National Association of Community Legal Centres  
Professor Jeannie Patterson  
RMIT University  
Ross Fitzpatrick  
Slater & Gordon (Andrew Weinmann)  
Standards Australia  
University of Sydney Business School (Professor Gail Pearson)  
Victorian Aboriginal Legal Service  
WEstJustice  
Women's Information and Referral Exchange

Our many campaign partners for our National Day of Action, retirement living and debt vultures campaigns.

All the hard working financial counsellors and community workers who share their case studies and experiences with us.

Every person who has generously shared their story - with media, politicians and policy makers. Your stories make a huge difference.

Victorian Aboriginal Corporation for Languages  
Elders and Community Members who granted permission for our office room names.



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